

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DANIEL FLETCHER,

*Plaintiff,*

v.

CAROLYN W. COLVIN, ACTING  
COMMISSIONER OF SOCIAL SECURITY,

*Defendant.*

CIVIL ACTION  
NO. 14-03131

**ORDER**

**AND NOW**, this 29th day of November, 2016, upon consideration of the Complaint (ECF No. 4), the Defendant's Answer (ECF No. 8), the administrative record (ECF No. 7), the Plaintiff's Brief and Statement of Issues in Support of Request for Review (ECF No. 23), the Defendant's Response to Request for Review (ECF No. 24), and Magistrate Judge Henry S. Perkin's Report and Recommendation (ECF No. 30), it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;<sup>1</sup>
2. The relief sought by Plaintiff is **GRANTED** in part;
3. The case is **REMANDED** to the Commissioner pursuant to 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation; and
4. In all other respects, Plaintiff's request is **DENIED**.

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<sup>1</sup> There are no objections to the Report and Recommendation. When no objection is made to a report and recommendation, the court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b) advisory committee's notes; *see also Oldrati v. Apfel*, 33 F. Supp. 2d 397, 399 (E.D. Pa. 1998) ("In the absence of a timely objection, therefore, this Court will review [a] Magistrate Judge[s] . . . Report and Recommendation for 'clear error.'"). No clear error appears on the face of the record and the Court accordingly accepts Judge Perkin's recommendation.

BY THE COURT:

/s/ Gerald J. Pappert  
GERALD J. PAPPERT, J.